

REMARKS

The outstanding Office Action has continued to reject all claims of this patent application. Specifically, the Office Action rejected claims 1, 3, 5-8, 10, and 12-18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ludtke (US patent 6,501,441) in view of Jenkin (US patent 6,118,433). Applicant respectfully requests reconsideration and withdrawal of this rejection for at least the reasons that follow.

In this regard, in Applicant's previous response, Applicant amended claim 1 to recite: "configuring graphics circuits of the plurality of networked slave computers in accordance with the compatible operating configuration to cooperate to collectively render a display, wherein the compatible operating configuration specifies a particular display operating mode." Similar features were added to each of the other independent claims (claims 8 and 17). In rejecting the independent claims, the Office Action noted specific references to locations in Ludtke which allegedly disclose the claimed features of the first few elements of the independent claims. However, the above-quoted element, which was added by the previous amendment, was merely quoted (and no reference was provided to where this element was particularly disclosed in the cited art).

The Office Action expressly admitted that this added feature is not disclosed in Ludtke (Office Action, p. 3, lines 7-10). However, the Office Action generally alleged that this feature was disclosed in Jenkin. Applicant disagrees and notes that Jenkins does not relevantly disclose anything that wasn't admitted prior art in the present application. In this regard, the present application noted that single logical screen (SLS) systems were known. Jenkin discloses nothing (relevantly) beyond that. The Office Action makes certain general allegations about the teachings of Jenkin, and then cites

the following locations: col. 1, lines 10-20 and col. 4, lines 52-59, and then the Office Action cites larger blocks of text in Jenkin (e.g., col. 1, line 1 through col. 3, line 10 and col 4, line 21 through col. 5, line 27). However, these locations of Jenkin do not disclose the claimed feature.

For example, col. 1, lines 10-20 merely state:

Video walls are being used ever more frequently for displaying visual data on a large physical space. It is known in the art to mount a plurality of television monitors on a vertical surface in a rectangular grid and to control the video signal shown on each monitor for presenting different visual messages. The resulting display is more than just the sum of the outputs of each unit as the units can be combined logically into one large display, or subdivided at will. The use of standard replicated components allows for an inexpensive, flexible video display according to this known prior art.

Col. 4, lines 52-59 state:

As discussed above, the DU software operates on a specific designated processor, referred to herein as the controlling processor, which can be either one of the BDU processors 3 or an external processor connected to the BDU processors 3 via the network. In response to executing graphical display commands the controlling processor sends messages to the network-connected BDU's of DU 10.

With regard, to the larger portions of Jenkin that the Office Action cited, Applicant notes that these portions do not disclose the claimed feature of: "configuring graphics circuits of the plurality of networked slave computers in accordance with the compatible operating configuration to cooperate to collectively render a display, wherein the compatible operating configuration specifies a particular display operating mode."

Again, Jenkin only relevantly discloses a touch-sensitive video display formed from a plurality of individual displays. As Jenkin fails to disclose the feature added by Applicant's last amendment, even if Jenkin could be properly combined with Lutke, the

resulting combination still fails to disclose all features of the claimed embodiment. For at least this reason, the rejections should be withdrawn.

As a separate and independent basis for the patentability of all claims, Applicant submits that the combination of Ludtke and Jenkin is improper. In this regard, the Office Action combined Jenkin with Ludtke to reject the claims on the solely expressed basis that "it would have been obvious ... for the motivation of providing a video display, and a particular, for construction of a 'large' video display unit capable of supporting user interaction." (see e.g., Office Action, p. 4)

This rationale is both incomplete and improper in view of the established standards for rejections under 35 U.S.C. § 103.

In this regard, the MPEP section 2141 states:

Office policy has consistently been to follow *Graham v. John Deere Co.* in the consideration and determination of obviousness under 35 U.S.C. 103. As quoted above, the four factual inquires enunciated therein as a background for determining obviousness are briefly as follows:

- (A) Determining of the scope and contents of the prior art;
- (B) Ascertaining the differences between the prior art and the claims in issue;
- (C) Resolving the level of ordinary skill in the pertinent art; and
- (D) Evaluating evidence of secondary considerations.

...

BASIC CONSIDERATIONS WHICH APPLY TO OBVIOUSNESS REJECTIONS

When applying 35 U.S.C. 103, the following tenets of patent law must be adhered to:

- (A) The claimed invention must be considered as a whole;

(B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;

(C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention and

(D) Reasonable expectation of success is the standard with which obviousness is determined.

Hodosh v. Block Drug Co., Inc., 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986).

The foregoing approach to obviousness determinations was recently confirmed by the United States Supreme Court decision in KSR INTERNATIONAL CO. V. TELEFLEX INC. ET AL. 550 U.S. ____ (2007)(No. 04-1350, slip opinion, p. 2), where the Court stated:

In *Graham v. John Deere Co. of Kansas City*, 383 U. S. 1 (1966), the Court set out a framework for applying the statutory language of §103, language itself based on the logic of the earlier decision in *Hotchkiss v. Greenwood*, 11 How. 248 (1851), and its progeny. See 383 U. S., at 15–17. The analysis is objective:

“Under §103, the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background the obviousness or nonobviousness of the subject matter is determined. Such secondary considerations as commercial success, long felt but unsolved needs, failure of others, etc., might be utilized to give light to the circumstances surrounding the origin of the subject matter sought to be patented.” *Id.*, at 17–18.

Simply stated, the Office Action has failed to at least (1) ascertain the differences between and prior art and the claims in issue; and (2) resolve the level of ordinary skill in the art. Furthermore, the alleged rationale for combining the two references (i.e., for the motivation of providing a video display, and a particular, for construction of a ‘large’ video display unit capable of supporting user interaction) embodies clear and improper hindsight rationale. More importantly, this alleged motivation has nothing to do with the

claimed feature of efficiently and consistently configuring a plurality of computers to collectively render a display in a compatible operating configuration. Although the present application can be implemented in a multiple display, SLS system, it may also be implemented in a single physical display system. "Rendering" a graphics image is not the same thing as "displaying" a graphics image. Rendering refers to the computations that are involved in generating the underlying graphics information for display. As described in the specification of the present application, it is important that each of the cooperating render nodes be configured for rendering the graphics information for display in a particular (and consistent) display mode. There is simply no compatible teaching in Jenkin. To this extent, Jenkin actually teaches away from the present invention (as Jenking is only relevantly concerned with displaying information in a SLS, multiple display system).

Consequently, there is no proper basis for combining Jenkin with Ladtke. For at least these additional reasons, Applicant submits that the rejections of all claims are improper and should be withdrawn.

Further still, a similarly improper rationale was embodied in the rejections of claims 2, 9, and 19. These claims were rejected as allegedly obvious over the combination of Ladtke and Jenkin, in further view of Lavelle (US 6,875,322). In forming this rejection, the Office Action alleged that Lavelle further taught the feature of "communicating the specified configuration through a communication socket of each of the plurality of slave computers" and that "the particular display operating mode is a stereo mode." The Office Action then alleged that the further combination of Lavelle

would have been obvious "for the motivation of providing a graphics computing system for dynamically adjusting a number of rendering passes to achieve a targeted quality constraint." However, this alleged motivation has nothing meaningful to do with the features of claim 2 (e.g., communicating through a communication socket, or the operating mode being a "stereo" mode.) As such, Applicant respectfully submits that the further combination of Lavelle is improper and that the rejection of claim 2 should be withdrawn. For similar reasons, the rejections of claims 9 and 19 should be withdrawn.

With regard to the rejection of claims 4 and 11, the Office Action rejected the claims under 35 U.S.C. § 103(a) as allegedly unpatentable over Ludtke in view of Jenkin and "in further view of Obviousness." Applicant understands this rejection to admit that the features of claims 4 and 11 are not found in the cited art, and that the Office Action instead is merely alleging the added feature to be obvious. Applicant respectfully disagrees. However, claims 4 and 11 define over the cited art for at least the same reasons as their base claims, which have been distinguished above.

CONCLUSION

Applicants respectfully submit that all claims are now in proper condition for allowance, and respectfully request that the Examiner pass this case to issuance. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

No fee is believed to be due in connection with this Amendment and Response to Office Action. If, however, any fee is deemed to be payable, you are hereby

authorized to charge any such fee to Hewlett-Packard Company's Deposit Account No.
08-2025.

Respectfully submitted,

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Please continue to send all future correspondence to:

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